# **EXHIBIT 8**



## **Pretzel Crisps**



2010 CHEFSHESTO AWARD FOR GEST TASTE WINNER

## Pepperidge Farm



What Makes a Great Protect Crise?

riest time you find yourself weary of crackers and chips. urable bag of pretzel crisps. These bits are branks are typically low in fat - often they're even faufree and sure to satisfy your salty craving, all while helping you break out of your snack rut.

The best pretzel crisps will be dark gold and have a light sheen, with granules of salt visible on at least one side of each crisp. There should be a minimal amount of broken pieces in a fresh bag.

Great pretzel crisps will deliver a pronounced level of toasted wheat and grain in both aroma and flavor. The crisps' overall aroma and flavor intensities should be equally high as they share notes of nuttiness, grain, and wheat

Moderate saltiness will most define the basic taste profile of top-quality pretzel crisps, with low levels of sourness and bitterness playing lesser roles.

As you'd expect, crispiness is crucial to a great pretzel crisp. These snacks are at their best when thin and flaky, and their moderate crunch should bring you back for bite after bite, whether you're enjoying them on their own or with a dip

We know what makes a great pretzel crisp, but what makes a bad one?

Our panelists found certain brands of creizel crisps for brittle, with a disappointing tendency to shatter completely when bitten. Other inferior crisps were too dense and overly adhesive on the palate, and also suffered from lackluster flavor intensity.

#### Why is Peppericiae Farm the best craizel crisp?

As this fasting proceeded but panel of expert chefs was taken with the pure "snackability" of Pappeorige Farm's pretzel crisps, due in no small part to the sharks' airy lightness and appropriate saltiness. They also maintained their crispiness when anjoyed with spinach dig

This judging was for prefeel crisps and including spack pretzels, soft pretzels, or preckers

Other Leading Brance

Snack Factory

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Coffge Promium Ground House Bland Premium Root Beer Purple Grape Juice Refrigerated Apple Cider Refrigerated Carrot Juice Soluble Coffee Clink Llixes Unflavored Instant Tea life: Unitarored Spankling Limeral Vistor White Grape Juice Breakfast Apple Cinnamon Os Careal Bran Cereal Chacolate Caresi Fronted On Brookfast Cereal Fruit-Flo-ored Kids Corest Heney Nut Os Breakfast Cereal Hot Whest Carnal Instant Organic Ostmool Multigrain Os Cercol Packaged Grannla Packaged Granola with Raisins Candy Chevy Caramels Chocolate-Covered Roising Solid Milk Charolate Bars Canned Goods Artichoke Hearta Balend Beans Black Beans and Pinto Beans Beef Stew Canned Chicken Canned Chicken Broth Canned Clam Chowder Canned Com Canned Crab Canned Diced Tomato Canned Gravy Canned Green Beans Canned Green Chiles Canned Italian Wedding Soup Canned Mandarin Oranges Canned New England Clam Chowder Canned Pears Canned Peas Port and Beans Canned Sardines Canned Shrimp Canned Spiced Lunchmeat Canned Tamples Chili with Beans Chili without Beans Comed Beel Hash Cranberry Sauce Creamed Com Devilod Hain Garbanzo Beans Hominy Kidney Beans Light Chunk Tuna in Water Mixed Fruit and Tropical Mixed Fruit Organic Chili Retried Boans Stiped Black Olives Solid White Albacare Tuna Tomalo Poste Vegetarian Baked Beans Vogetarian Reined Boons "Cheese Bria Cheasa Cherro Cottage Cheena Coumbled Feta Cheese Fresh Mezzarella Cheesa Garlic and Harb Flavored Cheese Light Strap Mozzarella Cheese Reduced Fat Mazzarella String Cheeso Reduced Fat Natural Swiss

Choese

Rolingerated Parmasan Cheese

Fiszen Strawsomes Frozen Spinach Hash Browns Meathalts Meatical Entrées Mixed Vegetables with Cheero Sauce Pocket Sandväckes Pol Roast Entrées Roast Turkey Entrains Salisbury Stoak Entree Shrimo Scomer Single Serve Deep Dish Pizza Texas Tossi Gailic Bread Vegetarian Burdes Vegetarian Chicken Fatties Vegelarian Patties Waffles Grahis, Pasto & Saucos Alfredo Pasta Mix Sido Dish Alfredo Sauce Eutter and Herb Pasta Mix Side Dish Cashew Chicken Asian Meal Kits Cheese and Brocotli Pasta Mix Chicken and Broccoli Pasia Mix Side Dish Chicken Fettuccini Pasta Mix Sido Dish Chicken Flavored Rice Chicken Flavored Rice Mix Egg Noodles Garlic Chicken Asian Meal Kits Garlic Pasta Mix Side Dish Kung Pao Asian Meal Kits Lasagna Noodles Macaroni and Cheese Multigrain Pasta Organic Tomato Pasta Sauce Pamesan Pasta Mix Side Dish Pizza Sauce Quick Rice Rice Pilaf Mix Shaped Pasta Spaghetti Sauce Mix Spaghetti and Linguine Sweet and Sour Asian Meal Kits Household Aluminum Foll Baking Cops Dinner Napkins Food Storage Containers Lunchson Nackins Paper Toyels Plastic Wrap Steam Cook Bags Meat & Seafood Cheese Hot Dogs Cooked Bratwurst Cooked Cheese-Wurst Sausages Deli-Sliced Ham Dell-Sliced Roast Beef Deli-Sliced Terkey Everyday-Favorite Hot Dogs Hot Links Maple Link Breakfast Sausage Poultry Dinner Sausage Faultry Hot Dags Precooked Basan Precoked Turkey Pally and Link Breakfact Sausano Premium Hat Dogs Refingented Sarbecus Pulled or Shreddod Beel Entrés Refrigerated Sarbacus Pulled or Shredded Chicken or Pork Entre Refrigerated Beef Tip Entrés Refrigerated Chicken Strips Refrigerated Ham Entrées Refigerated Meatloal Entrés Refrigerated Pork Reast Entree Refrigerated Smoked Salmon Regular-Cut Bacon

Soy and Canola Vegetable Of Soy Sauce Steak Saute Stramberry Fruit Spread Stulling Mix Sweet Pickles Sweetened Condensed Mills Taco Sauce Taco Seasoning Ory Lik Teriyaki Marinade Worcestershire Sauce Yellow Mustard Produce Dates Oried Cranberties Fresh Fackaged Baby Canals Fruit Cups Packaged Caesar Salad Packaged Garlie Cheese Cacsar Saled Packaged leaberg Salad Packaged Italian Salad Fackaged Organic Salad Packaged Romaine Salad Raisins Refrigerated Cale State Refrigerated Macaroni and Chaese Side Dish Refrigerated Macaroni Salad Refrigerated Mashed Polatoes Refrigerated Potato Salad Refrigerated Sauerkraut Refrigerated Scalloped Potato Side Dish Refrigerated Tofu Tomatoes on the Vine 100 Caloria Pack Chocolate Chip. Cookie Crisps Saked Potato Chips Baked Tortilla Chics Barbecue Potato Chips Barbecue Petato Crisps Baaf Jerky Batter-for-You Microwave Popcom Butter Crackers Candy-Coated Chocolate Chip Cookles Cheese Crackers Cheese Crispa Cheese Potato Criscs Chocolate Chip Cookies Chocolate Cliunk Chocolate Chip Conties Cinnomon Graham Crackers Cracker Snock with Dip Fig Coakies Fruit and Gelatin Cups Ginger Spap Cookies Glazed Popcom Hard Protzela Honey Graham Crackers Hat Salsa Hummus Kottle Chins Meat Sticks Medium Salso Microwave Popcom Wild Salsa Mini Chocolata Chie Cookies Multigrain Crackers Multigrain Sunflower Chips Orininal Potate Chies Plain Potato Crisps Plain Tortilla Chips Protzel Crisps Ridged Potate Chips Roasted and Salted Cashevis Roosted Garlie Hummus Round Wheat Crackers Salsa Con Queso Sall and Vinegar Potate Crisps Salting Crackers Shorthread Cookies Snack Huts Snack Sandwich Cake Soft Bake Chocolste Chip Cookies

Sour Croam and Chadder Potato

Salami

Sliced Sologna Lunch (Aeat Sliced Pepperoni

Streetes Cheese Shredded Cheese Shredded Mexican Blend Cheese Shredded Mexican Blend Cheese Shredded Mozzarella Cheese Stick Papperoni Summer Sausage Turkey Bacon Vegetarisa Hot Dogs Sour Cream and Onion Potate Chips Sour Cream and Onion Potato Crisps Thin Wheat Crackers Sliced Monterey Jack Sliced Mozzarella Venifia Wafers Water Crackers Sliced Processed American El Specialty Diet Acult Gurnery Vitamina Childrens Gurnery Vitamina Clear-Missing Soluble Fiber Cheese Sliced Proclane Sliced Swiss

[5] Dairy
Domestic Blutter
Fat Free Vanilla Yogurt
Goal Milk
Hard-Seiled Egga
Heavy Whipping Cream
Low Fat Yogurt
Organic Butter
Probletic Yogurt
Rehigerated Rice Pudding
Rehigerated Rice Pudding
Rehigerated Typicas Pudding
Rehigerated Typicas Pudding
Regular Vagetable Oil Spread
Sour Cream
Stick Margaine
Strawberry and Peach Incidioenl
Yogurt Supplements
Diabetic Bars
Diabetic Shokes
Dietetic Caramel-Pecen Chocolate Distatic Charanti-Federi Chocolati Dietatic Chocolate Mint Patties Dietatic Coconut Chocolates Egg Subatitutes Meal Replacement Shakes Natural Childrens Chewable Vitamins Shelf-Stable Total Strawbeny and Peach Indulgent Yogurt Whipped Aarozol Topping PAGICONTACT HE SITE HAE I TASTING TEMPROLOGY | TESHES CONOTIONS | GALVES POLICE

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Home/Search Result

#### Search Results

Your search for "pretzel crisps" found 2 results in the following categories: WINNERS (2) RECIPES (3) FEATURES (3) FRESH (3) OTHER (3)

Winners

Results 1-2 of 2

Sort by: A-Z

Pretzel Crisps

Hard Pretzels

Recipes

No Recipes match the search criteria.

Features

No Features match the search criteria.

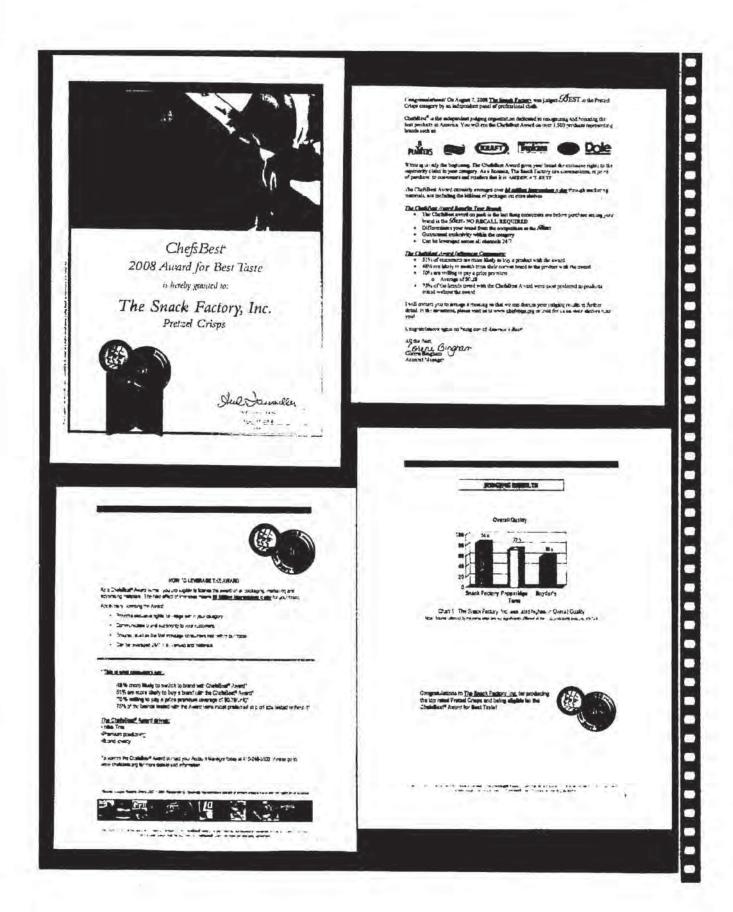
Frash

No Fresh pages match the search criteria.

Other

No other pages match the search criteria.

FAQ | CONTACT US | SITE MAP | TASTING TERMINOLOGY | TERMS & CONDITIONS | PRIVACY POLICY





November 30, 2011

VIA EMAIL. dhbemstein@debevoise.com and VIA US MAIL David H. Bernstein, Esq. 919 Third Avenue New York, NY 10022

Re: Snack Factory, Inc./Pretzels, Inc.

Dear Mr. Bernstein:

Our firm represents Pretzels, Inc. and has been provided with a copy of your letter dated November 28, 2011, concerning Snack Factory, Inc.'s trademark, PRETZEL CRISPS®.

As noted in your letter, Pretzels' use of the generic term "pretzels crisps" was merely a reference to a particular market segment described in industry publications. The wording was included innocently and without any knowledge of any potential infringement of a similar proprietary mark. Notwithstanding the industry's use of the generic term "pretzel crisps", Pretzels, Inc. has revised its promotional materials for TRUSSETTS® that referred to the "pretzel crisps" market. Pretzels, Inc. has also taken reasonable steps to avoid references to the term "pretzel crisps" in future materials.

Hopefully, this response adequately addresses the concerns conveyed in your letter. If not, please let me know. Thanks.

Best regards,

BURT, BLEE, DIXON, SUTTON & BLOOM, LLP

Robert E. Doelling, Jr.

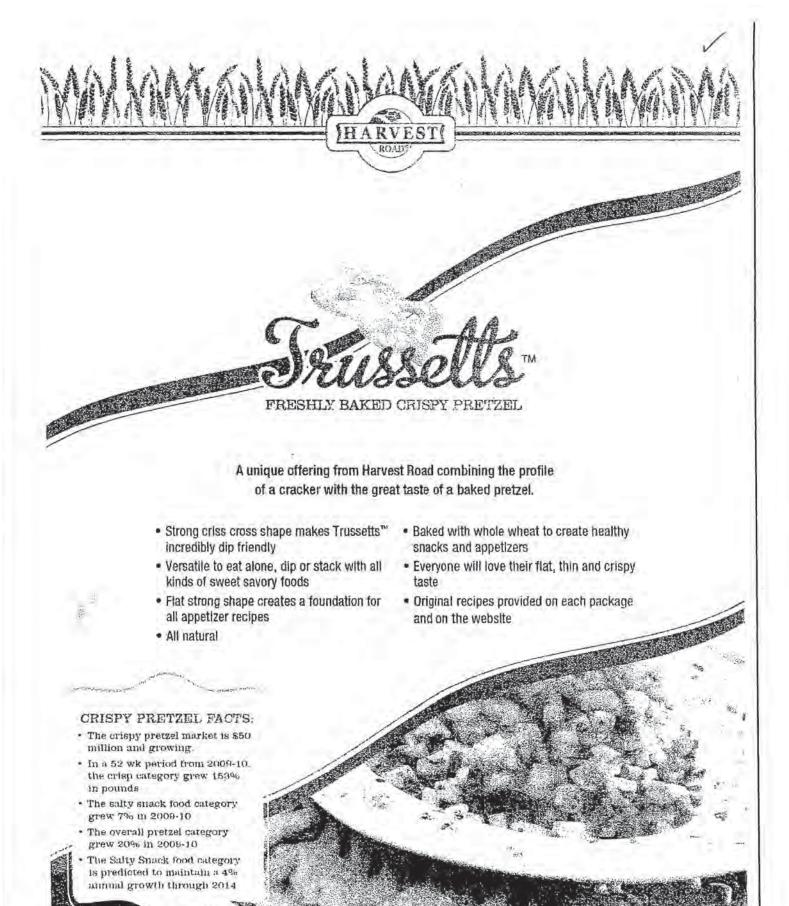
RED/ryo

Robert E. Doelling, Jr. PARTNER

telephone: 260-426-1300 facsimile: 260-422-7932 email:rdoelling@burtblee.com 200 East Main Street, Suite 1000 Fort Wayne, IN 46802

Mailing Address: P.O. Box 10810 Fort Wayne, IN 46854-0810 Auburn Office:

1320 S. Grandstaff Drive Auburn, IN 46706 Tel: 260-925-3787



Trade Secret / Commercially Sensitive

SF-TTAB-00149488

#### DEBEVOISE & PLIMPTON LLP

919 Third Avenue New York, NY 10022 Tel 212 909 6000 www.debevoise.com

David H. Bernstein Partner Tel 212 909 6696 Fax 212 521 7696 dhbernstein@debevoise.com

November 28, 2011

#### BY FEDERAL EXPRESS AND EMAIL

William Mann President/Co-Owner Pretzels Inc. 123 W. Harvest Road Bluffton, IN 46714-9007 harvestroad@pretzels-inc.com

#### Infringement of PRETZEL CRISPS® Trademark

Dear Mr. Mann:

We represent The Snack Factory, Inc. ("Snack Factory"), owner of the well-known, federally-registered trademark PRETZEL CRISPS®. We write to object to Pretzels Inc.'s use of the term "pretzel crisps" during PLMA's 2011 Private Label Trade Show. Examples of that inappropriate use are attached to this letter as Exhibit A.

Since its introduction in 2004, the PRETZEL CRISPS® brand of crackers have become one of the most successful snack foods on the market. Snack Factory's founder, Warren Wilson, developed the idea for a flat pretzel cracker and coined the term PRETZEL CRISPS® to serve as the brand name for this new, innovative product. Today, PRETZEL CRISPS® brand pretzel crackers come in many varieties and are available in a wide range of retail outlets across the United States. All PRETZEL CRISPS® trademark, as shown at the top of the next page. The PRETZEL CRISPS® trademark is one of the most significant ways in which consumers identify the brand on shelves, and it is thus among Snack Factory's most valuable property rights.

New York . Washington, D.C. . London . Paris . Frankfurt . Moscow . Hong Kong . Shanghai



Members of Snack Factory who attended PLMA's 2011 Private Label Trade Show in Chicago (held November 13-15, 2011) were surprised to learn that Pretzels Inc. was using the term "pretzel crisps" generically in relation to its TRUSSETTS pretzel cracker product. For example, the information sheet on TRUSSETTS referenced the "pretzel crisps market" and listed "pretzel crisp facts." The Official Program Guide for the show stated that, among other categories of products, Pretzels Inc. manufactures "Pretzel Crisps," which easily could confuse buyers into believing that your company is the source of Snack Factory's PRETZEL CRISPS® products. These uses of our client's registered trademark are inappropriate.

We realize that you may not have been aware that PRETZEL CRISPS® is the brand name for our client's product, or that our client owns a federal trademark registration for this mark. Because it is our client's trademark, no other company should use the PRETZEL CRISPS® name to refer to its brand of pretzel crackers, or to pretzel crackers generally. Rather, the generally-accepted generic term for this category of snack foods is either "pretzel crackers" or "pretzel chips."

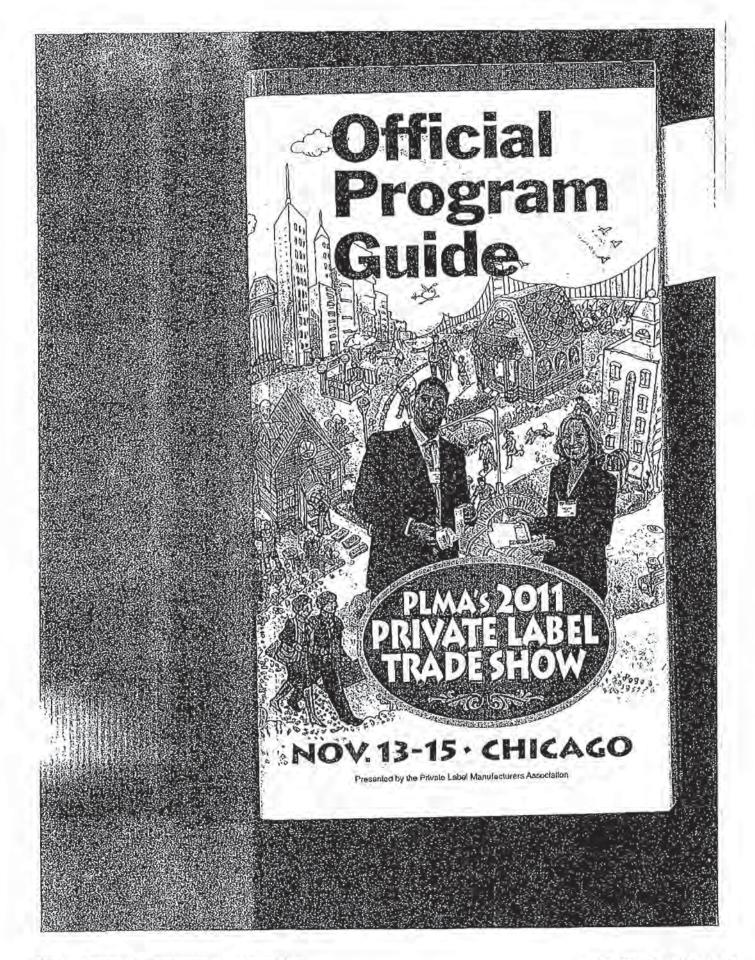
Just as Pretzels Inc. no doubt wants others to respect its trademarks, so do we hope that Pretzels Inc. will respect the trademarks of others. Accordingly, please confirm in writing by December 2, 2011 that Pretzels Inc. will discontinue all use of the PRETZEL CRISPS® trademark in relation to its products.

Very truly yours,

David H. Bernstein

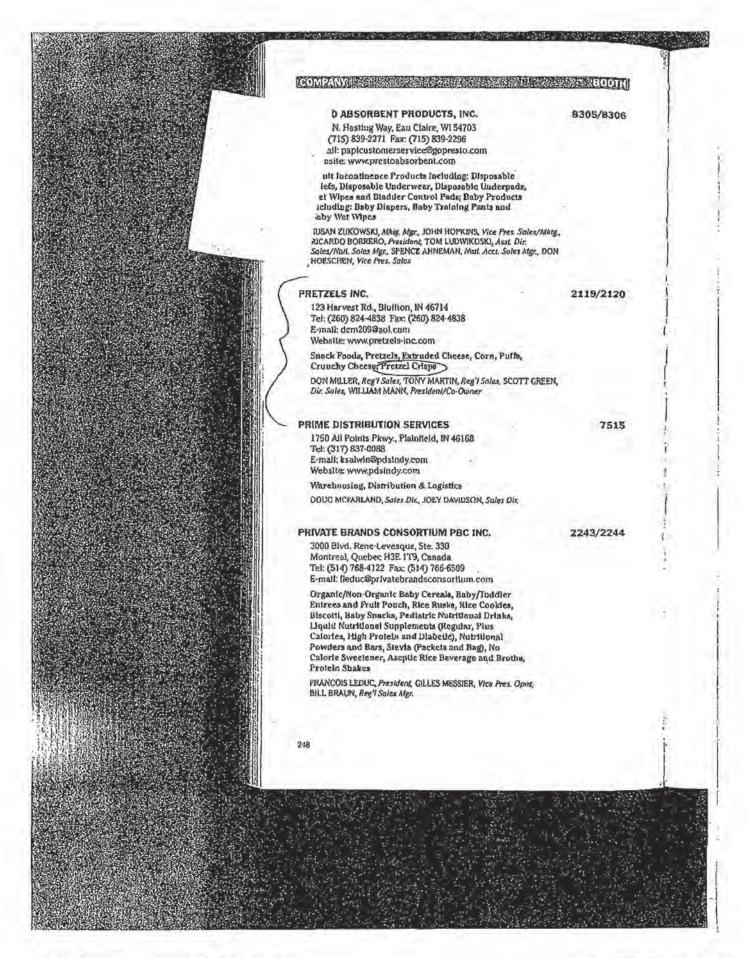
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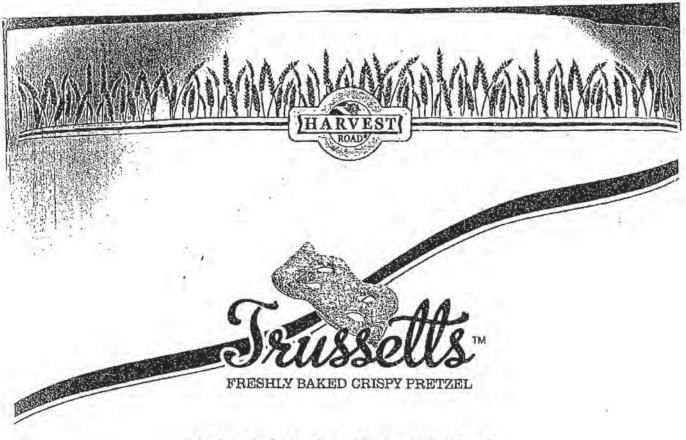
# **EXHIBIT A**



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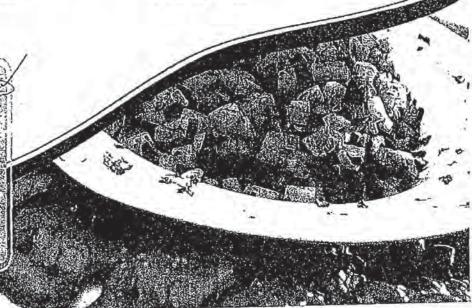
A unique offering from Harvest Road combining the profile of a cracker with the great taste of a baked pretzel.

- Strong criss cross shape makes Trussetts™ Incredibly dip friendly
- · Versatlle to eat alone, dip or stack with all kinds of sweet savory foods
- · Flat strong shape creates a foundation for all appetizer recipes
- · All natural

- · Baked with whole wheat to create healthy snacks and appetizers
- · Everyone will love their flat, thin and crispy
- · Original recipes provided on each package and on the website

#### PRETZEL CRISP FACTS:

- The pretzel orlep market is \$50 million and growing
- In a 52 wk period from 2009-10, the orisp category grew 153% in
- · The salty snack food category
- grew 7% in 2009-10
  The overall pretzel category gr 20% in 2008-10
  The Salty Snack food category is predicted to maintain a 4% annual growth through 2014



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SF-TTAB-00149486

From:

Daniel Espinosa [Daniel Espinosa@Tampico.com]

Sent:

Monday, May 12, 2008 1:26 PM

To: Subject: 'info@pretzelcrisps.com' excellent product

I just was munching on some pretzel crisps, thinking about how awesome they are. I want to let you know that you have a great, healthy product, a perfect alternative to high fat potato chips. Before I found this product, I was trying to find a good, low fat, snack food. I tried pita crisps, and soy crisps, but this is probably the most flavorful one with a great "kick". I have the buffalo wings flavor. Also, the packaging is great because it really keeps the product fresh after long periods of not eating any. I don't eat this product every day, and I've probably had this big bag I bought at Costco for at least a couple months, but it still is as crispy and good as the first day I opened the bag. I will continue to buy this product because there is nothing like it in the market (as far as I've seen). Anyway, keep up the good work and I wish you and your company success.

Thanks,

Daniel Espinosa International Business Analyst

### **Tampico Beverages**

3106 North Campbell Ave. Chicago, IL 60618 U.S.A.

tel: +1 773 296 0190 fax: +1 773 687 0172 e-mail: <u>daniel.espinosa@tampico.com</u> <u>www.tampico.com</u> From:

Beatty JoAnn [Joann.Beatty@state.or.us]

Sent:

Thursday, January 17, 2008 2:27 PM

To:

info@pretzelcrisps.com

Attachments:

image001.jpg

I just wanted to let you know that you guys have the best pretzel crisps ever. The other day I bought another brand at a different store. They were so salty I could not even give them away to anyone and ended up throwing them out. Your chocolate covered pretzel crisps in dark chocolate are to die for. Love all the flavors but have not tried the buffalo wings ...keep up the good work they are great.

Thanks JO

## JoAnn Beatty

Office Specialist II Rogue Valley Youth Correctional Facility 541 471 2862 ext 238



Subj:

FW: Just to let you know...

Date:

12/15/2008 2:01:51 PM Eastern Standard Time

From: To: info@pretzelcrisps.com snakfact@aol.com

WW and Sara:

FYI - Please see email below.

Darla

From: Mariesa New [mailto:amy@paccpas.com] Sent: Monday, December 15, 2008 1:55 PM

To: info@pretzelcrisps.com Subject: Just to let you know...

Last week I purchased the Pepperidge Farm version of the Pretzel Crisps. They package theirs in a big bulky box that allows a lot of shifting during distribution which means that by the time I got them in my house there MAY have been maybe 10 that were still either whole pieces or mostly whole and the rest was not much more than crumbs. Doesn't make for a very nice snack platter at a party. However, when I bought your brand at Wal-Mart today, I opened the bag & it was exactly the opposite. Very few broken chips not to mention the much more convenient bag they were in. Also, I loved that I had a variety of flavors to choose from. I went with the "Everything" and am loving them as I am snacking on them at this very moment. Just wanted to say Kudos on a job well done!

Mariesa New West Monroe, Louisiana.



From:

Darla Misier

Sent:

Monday, April 05, 2010 9:58 AM

To: Subject: 'Yvette Lloyd' RE: pretzel crisps

#### Good Morning Yvette:

Thank you for your email regarding where to purchase our Snack Factory Pretzel Crisps. We are pleased to hear you are enjoying them.

#### You can find our great product in the Brunswick, ME area at:

Hannaford Supermarket - Deli Dept.	State Wide
Sam's Club - 23 oz. Original flavor only	State Wide
Shaw's Supermarket - Deli Dept.	State Wide
Walmart Super Centers - Deli Dept. or Snack Aisle	State Wide

If you don't see a particular flavor you can always ask the deli manager to order them for you as they can very easily get it thru their current distributor. If you can't locate them at all, you may purchase our products online by the case at <a href="https://www.snackaisle.com">www.snackaisle.com</a>. You can also contact them by calling 1-866-EAT-SNAX (1-866-328-7629).

If you could please forward us your mailing address, we would be happy to send you some of our cents off coupons as a token of our appreciation.

Thank you for your enthusiasm and support for our product. If you have any questions please feel free to contact me.

#### Regards,

Darla Misier Consumer Relations Snack Factory, LLC P.O. Box 3562 Princeton, NJ 08543 1-888-683-5400 609-683-9595 (fax) darla@pretzelcrisps.com

From: Yvette Lloyd [mailto:ylloyd@bowdoin.edu] Sent: Monday, April 05, 2010 8:18 AM

13



Use to be able to find pretzel crisps in almost every store but here in Brunswick, Maine, they are very hard to find. Any suggestions as to where I could find them. Also, could only find plain and I see you have other flavors. I'd appreciate any suggestions or help. Thanks - they are the best! I've been buying Pepperidge Farm as I can't find yours anywhere. Yvette Lloyd

The Fresh Loaf

Soft = |+1, -1 Philly 3ch Prot 1 de 1 -

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For makeyone "visps" erispy, where you've hade decord a lety be worth more to effort that over tarke them combet the ell they might need to be flipped mid-way through but you can be the judge

ah, just like bagel chips! I never thought of that,

All have to give that a try, though I begluke the trun crackers that I to thinking of yourd he tar to othin to have been said out after a first bake. But I guess I'll see mon enough. Thurly for the save, estion!

The special architecture life, because have greately an arrive the above the

the trial Altan Brown's hard predict recipe and these supercloses that the first translation of think I'm solves and reported the cell to a replication of the charles the period of the period of the control of the period of

Course from post motion today is which made any think of the ming, beath. I cannot a second mean conjunt post definition of that you inspired me in break my starter over all tibermation and get ready to make Arma, a. " a retroly. The . Bulled of this usty indeed.

They softened a bit once they dievoted all day. Still eronely, our sie though, it occurred to me that you could try getting them SUPER thirdy consider them through a passa rollor instead of only so things you can get with a rollore pure as your solution. thinking about that earlier this eventur! Surely it they excit it at thin, any potting they do will be more like a pite an income than anything offering room for a chewy center.

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4/26/2010

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# **Nutrition Facts**

Serving Size about 18 Crisps (28g) Servings Per Container 2

Amount Per Serving

Calories 110 Calories from Fat 15

%8	ully Yakur'
Total Fat 1.5g	2%
Saturated Fat Og	0%
Trans Fat Og	
Cholesterol Omg	0%
Sodium 520mg	22%
Total Carbohydrate 21g	7%
Dietary Fiber 1g	4%
Sugars 2g	

## Pretein 3g

Vitamin A 0%	Vi	tamin C 0%
Calcium 0%	 •	Iron 0%

\*Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories:	2,000	2,500
Total Fat	Less than	659	809
Sat Fat	Less than	20g	250
Cholesterol	Less than	30Gmg	300mg
Sodium	Less than	2,400mg	2,400mg
<b>Total Carbol</b>	rydrate	3000	3750
Dietary Fi		25g	30g

Calories per grant:

Fat 9 • Carbohydrate 4 • Protein 4

INGREDIENTS: NEREAT PLOUR, SEASO NING (RICE FLOOR, SALL, MIGHISONIAN ELIFAMANE, CINCOL POUTOER, ROTTERIOL LE PRINCER, ROMERAL AND ARBEITONE FLOORS, SOUR CREAM PLANTAE KRETINGED SOUR CREAM, HOMEAT MALK POUTOER, RISEY, WHET POUTEIN CONFOCRITATE, MATURAL FLAVORS, SALK YEASTEXTRACTI, MATURAL GARLE PUNGER, SUNFLOWER OL, CHIECACH, WELLOW GLAZE, SPICE, LACTIC ACID, DISSONIAN SINGSMATE AND DISSONIAN GRAPPLATE, CHECKAR CREESE (CLATRICE), PASTERRIZED MILK, SALZ, ERPMESS BELLOW SLAKE, RISCHEM PHOSPHOTE, TUMBENC EXTRACT COMPANIES BELLOW SLAKE RISCHEM PHOSPHOTE, TUMBENC EXTRACT SOURCE PHOSPHOTE, TANT HAN GOM, SOTLECTEMM, AND LESS THAN 25. THE ALCEM PHOSPHOTE PHOSPHOTE SHOW, SACT, MAT STREP.

CONTAINS: MILK, SON, WHEAT,

Made in a factory that processes milk and sox.

	Serving		
Calories '	110 Cal	ories fro	m Fat 0
		% Da	Hy Value*
<b>Total Fat</b>	0g		0%
Saturate	ed Fat Og		0%
Trans F	at Og		
Choleste	rot Omg		0%
Sodium 3	30mg		14%
<b>Total Car</b>	bohydra	te 23g	8%
Dietary	Fiber 1g		4%
Sugars	2g		
Protein 3	g	- Kg-ur	
Vitamin A	0% •	Vitam	in C 0%
Calcium 0		•	Iron 0%
Percent Daily calorie diet. or lower dep Total Fat	Your daily vi	alues mary our calorie 2,000	be higher needs:
	Less than Less than Less than ydrate	20g 300mg	25g 300mg
Dietary F	D'U1		

Linda Wertz [linda.s.wertz@gmail.com] Sunday, August 22, 2010 10:10 PM Info

To: Subject:

question

Do you have any plans for ever making whole wheat crisps? It would be great for getting some nutrition into kids for a low fat snack.

Linda Wertz

jean storch [jnstorch@yahoo.com] Monday, September 29, 2008 2:12 PM info@pretzelcrisps.com

To:

i would like to know what size packages the crisps come in are there three sizes or just two?

jean

Case 3:17-cv-00652-KDB-DSC Document 28-11 Filed 08/30/18 Page 30 of  $58_{29}$ 

GMAIL [ghstepanow@gmail.com] Sunday, April 25, 2010 8:23 PM

To:

Darla Misier

Subject:

REQUEST COUPONS

I've sampled your crisps and bought a bag at the local Costco. However, Costco no longer carry your product. Will you please send a product coupon? Thanks-

Genevieve Stepanow 17191 Libertad Drive San Diego CA 92127

Felix Jacomino [felix@jacomino.com] Thursday, May 13, 2010 9:07 PM

To: Subject: Darla Misier More broken crisps...

Once again,
I get more broken crisps in a bag than whole ones?
It doesn't seem like that is a priority.
Why not pack a bag inside a box?

What should I have paid for a bag of broken crisps?

Felix

From:

TOMChcg3@aol.com

Sent:

Wednesday, May 05, 2010 8:35 AM

To: Subject: Darla Misier Bagging

I must admit I really enjoyed your product (especially with a soft cheddar cheese) and would have purchased more. However, I was very disappointed the further I got down in the bag. I estimate 1/2 of the pretzels where broken and about 1/4 of them were in tiny pieces not worth eating. Either your bagging procedure or the store had problems in maintaining the shape of the crisps.

Tom

From:

MICHAEL ROTHSTEIN [mrormr@verizon.net]

Sent:

Wednesday, August 24, 2005 3:38 PM

To:

info@pretzelcrisps.com

Subject:

broken crisps

Attachments:

AVG certification\_.txt

#### Hello,

just wanted to let you know that we love your product, but after buying 3 bags and all three bags each time have only had all broken crisps we were a little disapointed. My son loves the buy them at Chef central after his cooking class. Just wanted to let you know, so that maybe you could come up with a better packaging, so that they would not all break. Thanks

mada Rothstein

From: wfmcontr@optonline.net

Sent: Thursday, July 02, 2009 11:44 AM

To: info@pretzelcrisps.com

Hello,

My name is Michele Murphy and I am a committee member for Boy Scout Troop 79 of Pequannock, NJ. Our scouts are hosting a spaghetti dinner fund raiser in October 2009. I was wondering if your company would be willing to donate a couple of bags of your product to them for them to make a basket of the assorted crisps to raffle off at the event. All the funds the scouts raise at this event will purchase new equipment for the troop.

Please feel free to contact me with any questions you may have. 1 can supply you with any information you may need. 1 can be reached at 973-628-8745

I thank you in advance for your time.

Michele Murphy

Donna Fye [djfye@yahoo.com] Saturday, April 24, 2010 7:32 PM

To: Subject: Darla Misier buffalo pretzel

I found the buffalo wing flavored crisps at Costco and Sams Club about 2 months ago, but can not locate them now. Do you still make them? Where can I find then in the Kansas City, Kansas area?

Vanessa Mortensen [vamortensen@hotmail.com]

Sent:

Wednesday, March 22, 2006 2:00 PM

To:

info@pretzelcrisps.com

Subject:

msg

Attachments:

\_AVG certification\_.txt

#### Hello.

Our Tampa, FL area grocery stores have recently added your products and we were initially thrilled with the Pretzel Crisps, Everything flavor. By that I mean that the first bag had plenty of "everything" on them and the last several bags had virtually nothing on the crisps. What happened? Literally, each crisp was lucky to have 3 sesame seeds and one salt crystal on it. The first bag was the only one to look like the picture on the bag. We shop at Publix, Kash n Karry and Albertson's. Let us know when you improve this item back to the way they were. Thank you very much.

Sincerely, Vanessa Mortensen 813-960-1696

From: MamaGaona@aol.com

Sent: Tuesday, August 26, 2008 2:04 PM

To: info@pretzelcrisps.com

Subject: Re: coupons

#### Darla.

Thank you so much!!!!!!!!! Yippee these crisps are my diet secret. Can't be much of a secret as my Pathmark is always running out of the plain as soon as they come in.

In a message dated 8/26/2008 2:02:28 P.M. Eastern Daylight Time, info@pretzelcrisps.com writes:

Dear Ms. Gaona:

Thank you for your request. I will be sending out your coupons next week.

Sincerely,

Snack Factory, Inc.

Darla Misier

Consumer Relations

---Original Message-

From: MamaGaona@aol.com [mailto:MamaGaona@aol.com]

Sent: Tuesday, August 26, 2008 1:53 PM

To: info@pretzelcrisps.com

Subject: coupons

arlene gaona 95 heritage dr howell,nj 07731

It's only a deal if it's where you want to go. Find your travel deal here.

It's only a deal if it's where you want to go. Find your travel deal here.

Trudy Bohr [bohr4@mac.com] Tuesday, March 17, 2009 3:39 PM

To: Subject: info@pretzelcrisps.com classic dijon flat crisps

I saved one side of a box of "Napa Valley Mustard Co. Brand Classic Dijon Flat Crisps" assuming it had all the information I needed to find this product again, but Napa Valley Mustard Brand Co only shows prepared mustards on their website, and your website does not show this flavor or packaging. I received the box of crisps in a Christmas basket - is this indeed your product?

Trudy

From: Sent: Darren Eckhoff [darreneckhoff@hotmail.com] Tuesday, September 02, 2008 11:31 PM info@pretzelcrisps.com

To: Subject:

I need Dark Chocolate

Hello.

my name is Darren and I love your Dark Chocolate covered crisps. I can not find the chocolate anymore and I neeeed them. Please help!

Darren Eckhoff 11 Altino Newport Coast, CA 92657

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Version: 8.0.169 / Virus Database: 270.6.15/1649 - Release Date: 9/3/2008 7:15 AM

Diane Hull [snuffles33@yahoo.com] Monday, November 10, 2008 12:58 PM

To:

info@pretzelcrisps.com

I love you crisps. The original variety. The only place I can find them on a regular basis charges quite a bit. (\$3.99) Which I think is excessive, but what can I do.

Any way, the last 3 packages had a problem with re-closing. When I opened the zipper, it came right off the bag. Now I have to eat them up faster than I want too. (I eat only a few at a time due to diet etc) If it were one or two I'd say coincidence, but 3??

You really need to correct this problem.

Thank you for you attention

Diane Hull PO Box 489 Port Ewen, NY 12466

DeRaimo [Ideraimo@charter.net] Monday, August 09, 2010 8:22 PM

To: Subject: Info Crisps

Awesome product..... Buffalo Wing is the favorite right now. I have turned others on to product, we have weekly card/game nights Friday and Saturday and they have been a big hit. Need to find the 3 cheese ones and try those, just saw those on the web site.

Do you guys offer any coupons?

Thanks Lynn DeRaimo 270 Abner Drive McDonough GA 30252 From: Sent: To:

Kristine [kmittler@msn.com] Friday, August 06, 2010 8:41 PM Darla Misier

Subject:

Garlic crisps

I do not the way the orig garlic crisps are now garlic Parmesan! When I order online and it shows the orig garlic is that what I'm gonna get or do u no longer carry them? I'm very interested in getting some ! They my favorite and I am sad to c It go! Thank u! Sent from my iPhone

From: Kathy Ryan [k7ryan@cox.net]

Sent: Saturday, June 30, 2007 8:06 PM

To: info@pretzelcrisps.com

Subject: Local retailer

Hello. Yesterday I was in the Philadelphia airport waiting for my flight to Phoenix. I bought a package of your garlic crisps and just loved them. I would like to know if there is a retailer in my area so I can go right out and buy many more packages! They're so unique and will be wonderful to serve at parties. I have to admit that I also want them for me as a very tasty snack.

I live in Tempe, Arizona, but stores in Chandler, Gilbert, and Mesa would also be close enough to travel to purchase the crisps. My zipcode is 85283.

Thank you.

Sincerely,

Kathy Ryan

Jill Stephens [jillstephen1527@comcast.net] Tuesday, August 24, 2010 6:57 PM

Sent:

To: Subject: Info Cinnamon

I am looking in my area for the cinnamon crisps and not having any luck. We found them at the Philly airport and fell in love with them.

We have tried 13760 and 32162 zip code stores. When can we expect them all over? Jill Stephens

Mary Burg... [mb4335@hotmail.com] Friday, May 09, 2008 6:52 PM

Sent: To:

info@pretzelcrisps.com

Hi Darla, I received your coupons today! Thank you so much!!! I'm looking forward to trying the chocolate covered crisps, yet I can't imagine anything better than the buffalo wing flavor! I have told so many people about these that I wonder.... should I consider investing in your stock!? LOL!! Thanks again Darla!

Your faithful "Buffalo Fan" Mary Burgess

Mary 🖪

With Windows Live for mobile, your contacts travel with you. Connect on the go.

From: Mary Jane Nielsen [mjn@necosecurity.com]

Sent: Sunday, July 29, 2007 1:28 PM

To: info@pretzelcrisps.com

I love your product! I just purchased it yesterday and know I will buy it again!

Here's a dip recipe you may want to try with the original crisps. It is from a club here in Lincoln which closed years ago.

Esquire Club Dip

2 8 oz packages cream cheese (softened...but not softened in microwave)

1 T Prepared horseradish

1 T Garlic powder

1/2 c beer

1 drop red food coloring (optional)

Combine all ingredients. Blend well & Chill.



Alison Janki [ajanki@insight.rr.com] From:

Sunday, June 10, 2007 5:00 PM Sent:

info@pretzelcrisps.com To:

Subject: buffalo crisps

Hi Warren~

My Costco is no longer carrying the Buffalo flavor and I am addicted to them!! How can I place an order through the Snack Factory company??? Please let me know!!

Alison Janki

ajanki@insight.rr.com

614-865-9265

Russ Jones [russ@pgwexperience.com] Monday, December 28, 2009 7:35 PM

To: Cc: Perry Abbenante Tom O'Rourke

Subject:

RE: Homework Assigment

#### Hi Perry -

I am in tomorrow and Wednesday, then back in on Monday. Whatever works best for you is good by me.

Here are some of the preliminary names we came up with. We are working on more and will submit an additional list on Monday. Any additional insight into what the name is trying to accomplish would be helpful. We are assuming it should have a more health conscious ring to it so that is the direction we tried going in.

Best Snack Co.
Choice Snacker
Conscious Confectionery
Dash of Delight
Elemental Eats
Elemental Edibles
Enlightened Eats
Enlightened Indulgence
Essential Eats
Essential Edibles
Favorite Snack Co.
Feast Free Co.
Fresh & Skinny
Good Treats & Eats
Goody Bag Inc.

Great American Treats & Eats Co

Happy Snack More Inc.

Happy Snacks

House of Healthy Goodness

Intelligent Indulgence

Just Right Delights

Morsel Makers

Mrs. Wilson's Goody Bag

Mrs. Wilson's Naturals

Mrs. Wilson's Originals

Mrs. Wilson's Wholesome Delights

Mrs. Wilsons Organic Originals

Mrs. Wilson's Pantry

Mrs. Wilson's Secret Recipe

Mrs. Wilsons Tasty Tidbits

Nibble Nosh

Organic Originals

Oven Fresh Selects

Real Snacks Inc.

Select Snacks

Sensible Snack Shack

Sensible Snacks

Simple Snacking Inc.

1

Skinny Snacking Skinny Snacks Skinny Treats Smart Snacks Smarty Feast Co. Smarty Snacks Snack Goodness Snack Haven Inc. Snack Smart Co. Snacktacular Delights Snackvantage Sensations Tasty Treats Co. The Gourmet Snack Co The Skinny Snacker Co. The Snack Right Co. The Snack Wise Co. Vital Vittles Wholesome Delights Wilson's Munchies Mill Wilson's Organic Originals Wilson's Selects Wilson's Taste Wilson's Treats & Eats Co Wilson's Wholesome Delights Wilson's Wonderful Organics Wilsons Tasty Tidbits

From: Perry Abbenante [mailto:Perry@pretzelcrisps.com]

Sent: Monday, December 28, 2009 3:21 PM

To: Russ Jones Cc: Tom O'Rourke

Subject: RE: Homework Assigment

Russ – Thanks for the note. Can we connect in the next day or so to discuss a retainer? Any names you may or may not have would be a bonus!

Thanks.....Perry

From: Russ Jones [mailto:russ@pgwexperience.com]

Sent: Monday, December 21, 2009 2:10 PM

To: Perry Abbenante

Subject: RE: Homework Assignment

Hi Perry -

Thanks for sending this. We will get you something to look at before the New Year. I will follow up directly with you if we have questions. If we don't speak before Wednesday then I will follow up next week. Our offices are open through Wednesday then closed Thursday & Friday and back in on Monday.

Have a happy holiday if I don't speak with you before then.

Thanks again,

2

#### Russ

From: Perry Abbenante [mailto:Perry@pretzelcrisps.com]

Sent: Saturday, December 19, 2009 7:03 PM

To: Russ Jones

Subject: Homework Assigment

Russ — Per our conversation, I was hoping you and the PGW braintrust could mull over some creative names we might be able to use as an umbrella brand for Pretzel Crisps. Currently, we do have a copyright on the name Pretzel Crisps, but because it's a two pretty generic words, there could be a challenge to it. Currently, we have Snack Factory as the umbrella brand and it works, but we found after focus group testing that it really didn't have any equity. We thought we had a winner in Sarah's Original, but were warned that Sara Lee would come after us, so we dropped that idea. Others that we've thought of...and rejected...are listed below.

Princeton Snack Co. Natural Provision Co. Nosh & Company The Good Snacker Good Snacking Co. Snackworks Eastern Natural The Snack Mill **Enlightened Edibles** Snacktastic Naturals Snacktastic The Snacker's Guild **Brainy Bakers** The Skillman Snack Compnay Tamarack Snacks Wilson's Delights Wilson's Gourmet Warren & Sara's Wilson's Snack Factory Wilson's Edibles Wilson's Originals Wilson's Naturals Wilson's Best

This isn't a 'pass or fail' assignment, but rather an attempt to see if some new blood can conjure up something cool. This one has been difficult. Your assistance is much appreciated. Take some time to mull it over and drop me a line before the new year and let me know if you came up with anything.......Thanks...............Perry

#### PERRY ABBENANTE

Vice President of Marketing Snack Factory Inc. P.O. Box 3562 Princeton, NJ 08543 609-683-5400

Maureen Phelan <maureen@technology business solutions.com>

Sent:

Tuesday, March 23, 2010 12:13 PM

To:

Tom O'Rourke <tom@pretzelcrisps.com>; Perry Abbenante <perry@pretzelcrisps.com>

Subject:

FW: New Pretzel Crisps Line- starbucks

Attach:

Press Kit.pdf; Pretzel Crisps Sell Sheet.pdf

I am workin it! I have been told a few different names now and the other email that Roberta sent bounced back so I don't think Julie is employed there any longer but Sharon gave me this name.

Sharon, by the way, handles their gift baskets so I asked her if our cinnamon toast might me a good option in a gift basket as it would taste good with coffee/tea.

I added the crunch in there for you, Tom.

I sent an email to the contact @ coffee bean & tea company as well...they are expanding to NYC with a big push. The stores in southern CA have a great vibe to them so hopefully they can replicate that to nyc.

From: Maureen Phelan

Sent: Tuesday, March 23, 2010 12:07 PM

To: 'LHarris@starbucks.com'

Cc: 'Sharon Meehan'

Subject: New Pretzel Crisps Line

Hi Lori,

Sharon Meehan gave me your contact information as we used to work together at Tazo Tea. I have seen your new line of healthy snack foods in the stores & think Pretzel Crisps would be a great addition. We are the original pretzel crisp company about to introduce a new package which is much more appealing to your demographic than our current deli line. We are based in Princeton, NJ and our founders also created NY Style Bagel chips approx 20 yrs ago. Our product is a thin pretzel cracker so it's great alone, dipped, or with your favorite topping. We are the best part of the pretzel...the crunch, not as doughy as other pretzels can be. We are excited that Whole Foods Markets nationally authorized our four new items and will launch in stores this May.

Can we set up some time to discuss and taste the new items?

Thank You, Maureen

Maureen Phelan VP of Sales, Natural Channel Snack Factory Inc. P.O. Box 3562 Princeton, NJ 08543 917-612-5494 cell www.pretzelcrisps.com





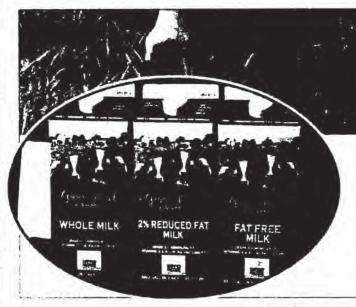
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#### How Sweet It Is Holiday Treats

How Sweet It Is, an artisanal chocolatier located in Glenview, uses the freshest ingredients to make handcrafted treats with keen attention to every detail. Keep an eye out for our white, milk, or dark chocolate coated Oreo\*Dunkers; Halloween is available now and holiday items will be arriving in November!



#### The Snack Factory Pretzel & Ciabatta Crisps

New from Snack Factory - peanut butter pretzel crisps - dipped in indulgently creamy gourmet flavored peanut butter coating then drizzled with dark chocolate flavor for a justright sweet and salty crunch!

All natural ciabatta bread crisps are made with real ciabatta bread, extra virgin olive oil and savory herbs & spices, twice baked for a flavorful crunch. Perfect with bruschetta, soft cheeses, soups & salads or dips & spreads!



#### Champignon Imported Cheese Minis

Try Champignon's new mini cheese wheels available in Cambozola Classic Blue and Champignon Brie with Mushrooms. Just enough but not too much, they're made with triple cream, prepacked by the manufacturer and airfreighted for freshness.





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# FANCY FOOD & CULINARY PRODUCTS



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Editorial Calendar Advertising Rates Ad Specifications

2011

January	February/March	April
Breakfast Baking Mixes     Culinary Cooking Sauces     Jams & Jellies	Gourmet Gift Guide Issue	Cookies & Cakes     Dessert & Ice Cream     Toppings     Coilling 102 Secretarions
•Spreads:Tapenades & Antipasto •Spring into Dip Mixes!	Classic Condiments Grilling 101: BBQ Sauces & Marinades	<ul> <li>Grilling 102: Seasonings</li> <li>&amp; Rubs</li> <li>Whole Bean Coffee</li> </ul>
	The Green Kitchen Summer Drink Mixers	
Holiday: Easter Confections	Holiday: Prepare for the Picnic Season	Holiday: Red, White & Blue!
Housewares: Water Bottles		Housewares: Tea Accessories
Advertising Deadline: 11/30/10 Materials Due Deadline: 12/07/10	Advertising Deadline: 01/10/11 Materials Due Deadline: 01/17/11	Advertising Deadline: 02/28/11 Materials Due Deadline: 03/07/11

Crackers & Crisps Creative Condiments Dip Mixes & Cheeseballs	•All Star Snacks •Chocolates •Cooking Oils •Dessert Baking Mixes
Creative Condiments	•Chocolates •Cooking Oils
	•Cooking Oils
• Dip Mixes & Cheeseballs	
of a series and a series	<ul> <li>Dessert Baking Mixes</li> </ul>
1	
	•Gluten Free Product Guide
	• Simmering Sauces
Holiday:	Holiday:
Oktoberfest	Halloween
Housewares:	Housewares:
Kitchen Linens & Aprons	Barware/Wine Accessories
Advertising Deadline: 04/29/11	Advertising Deadline: 05/27/11
	Oktoberfest  Housewares: Kitchen Linens & Aprons

#### Gourmet Gift Guide Issue

- ·Soup Time
- · Rice & Risotto's
- · Warm Dips & Spreads

Holiday: Thanksgiving Housewares: Bakeware

Editorial Deadline: 07/01/11 Materials Due Deadline: 07/07/11

- Easy Appetizers
- \* Bake and Serve Hors d' Oeuvres
- · Grab and Go Gifts
- Hot Cocoa & Mocha Mixes
- Trim The Table
- Sweets and Treats
- · Wrapping up the Holiday

#### **Gourmet Gift** Guide Issue

- \*That's Italian: Pasta Sauces!
- Superbowl Snacks

Holiday: Valentine's Day Housewares: Spring Tabletop

Editorial Deadline: 09/27/11 Materials Due Deadline: 10/04/11

Editorial Deadline: 08/01/11 Materials Due Deadline: 08/08/11

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May	03/31/11	04/07/11
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